

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY,
PENNSYLVANIA

WELLS FARGO BANK NA/S/B/M TO
WELLS FARGO HOME MORTGAGE,
INC.
3476 STATEVIEW DRIVE
FORT MILL SC, 29715

Plaintiff,

vs.

WILLIAM J. MONSOUR and SANDRA
L. BEHE

Defendants

CIVIL DIVISION

No. 1343 of 2012

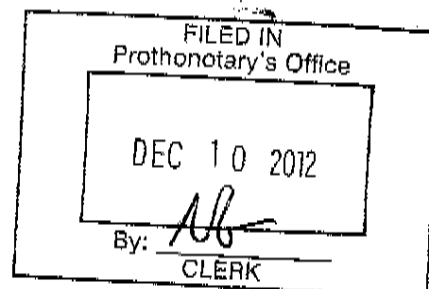
ANSWER

Filed on behalf of Defendants

Counsel of Record for this
Party:

DARRELL J. ARBORE, ESQUIRE
Pa. I.D. No. 63339

31 Robbins Station Road
Suite B
North Huntingdon, PA 15642
(412) 824-8430



ANSWER

AND NOW comes the defendants by and through their counsel, Darrell J. Arbore, Esquire, and responds to the plaintiff's Complaint In Mortgage Foreclosure as follows:

1. It is admitted that Wells Fargo Bank is identified as the plaintiff in the complaint filed by them. It is denied that they are the proper plaintiff and strict proof of same is demanded at the time of trial.

2. It is specifically denied that either defendant resides at 1052 Dearborn Circle, Greensburg, Pa 15642. Defendant is aware of the address of each defendant as per personal service of the Amended Complaint.

3. Denied. The form of the averment as set forth in paragraph 3 of Plaintiff's Complaint is specifically denied and strict proof of same is demanded at the time of trial. By way of further answer, paragraph 3 speaks of a mortgage owned by someone other than the within Plaintiff. Defendants have not been provided notice to both of them or either that their mortgage has be assigned to anyone other than the Mortgagor of Record. Strict proof of same is demanded at the time of trial.

4. Defendants deny and object to paragraph 4 of plaintiff's complaint. Paragraph 4 refers to an attachment. There is no attachment thus Plaintiff is not able to provide a response to paragraph 4 or Plaintiff's Complaint.

5. Paragraph 5 of Plaintiff's Complaint sets fails to set forth any reliable allegation that the within Plaintiff actually is entitled to any payment under the Mortgage entered into by the Defendants and the Original lender. By way of further response the Plaintiff has set forth a conclusion of law to which no response is required. Strict proof of same is required at the time of trial. By way of further answer plaintiff contest and

therefore deny the calculation of interest and principal as set forth in plaintiff's complaint.

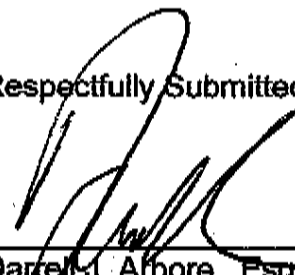
6. Denied. By way of further answer defendants contest and therefore deny the calculation of interest and principal as set forth in plaintiff's complaint. The calculations set forth within match the calculations set forth in an earlier complaint filed by the Plaintiffs that was discontinued by those plaintiffs and is not relevant to the present claim.

7. Paragraph 7 of plaintiff's complaint sets forth a conclusion of law to which no response is required.

8. Denied. Defendants have not received any Act 6 notices and Paragraph 8 of plaintiff's complaint fails to attach any notices of any kind thus preventing defendants their right to make a knowledgeable and informed response. Plaintiff's cannot set forth a cause of action to upon which relief can be granted without amending their complaint to include the required Act 6 notices. Otherwise, paragraph 8 sets forth sets forth a conclusion of law to which no response is required.

WHEREFORE, defendants, requests that this Court deny Judgment to the plaintiff herein.

Respectfully Submitted,



Darrell J. Arbore, Esquire
Counsel for the Defendants

VERIFICATION

I DARRELL J. ARBORE, ESQUIRE, Counsel for Defendants WILLIAM J. MONSOUR and SANDRA L. BEHE have read the foregoing ANSWER TO MORTGAGRE FORECLOSURE COMPALINT and the statements continued therein are true and correct to the best of my personal knowledge, information and belief. Counsel is filing this Attorney Verification because Defendants cannot verify this Answer within the time allowed for filing and Pleading. This statement and verification are made subject to the penalties of 18 § Pa. C.S. A. § 4904 relating to unsworn falsification to authorities, which provides that if I knowingly make false statements to authorities, I may be subject to criminal penalties.

A handwritten signature in black ink, appearing to read 'Darrell J. Arbore', written over a horizontal line.

DARRELL J. ARBORE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served by U.S. First Class Mail, postage prepaid and by fax transmission and first class mail , to Law Offices of Phelan, Hallinan & Schmieg, LLP this 9th day of December 2012, upon the following counsel of record:

Robert W. Cusick, Esquire
Phelan, Hallinan & Schmieg, LLP
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103

A handwritten signature in black ink, appearing to read 'Darrell J. Arbore', is written over a horizontal line.

DARRELL J. ARBORE, ESQUIRE